

Mississippi Electronic Courts
Eighteenth Circuit Court District (Jones Circuit Court - Laurel)
ABRIDGED CIVIL DOCKET FOR CASE #: 34CI2:22-cv-00035
Internal Use Only
Edit Case Data
Edit Case Participants

ANTHONY et al v. DUBAY II et al
Assigned to: Circuit Court Judge Dal Williamson

Date Filed: 01/31/2022
Current Days Pending: 31
Total Case Age: 31
Jury Demand: None
Nature of Suit: 186 Intentional Tort

Upcoming Settings:

None Found

Plaintiff

JOE ANTHONY

represented by **Eugene M Harlow**
Hortman Harlow Bassi Robinson &
McDaniel, PLLC
Post Office Drawer 1409
LAUREL, MS 39441
601-649-8611
Fax: 601-649-6062
Email: gharlow@hortmanharlow.com
ATTORNEY TO BE NOTICED

Plaintiff

PATTY ANTHONY

represented by **Eugene M Harlow**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

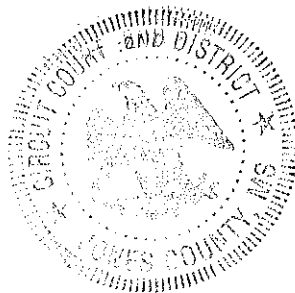
JOHN GORDAN DUBAY II

Defendant

ROBERT DAVID DUBAY
AS GUARDIAN AND CONSERVATOR

Defendant

JUNE FAIRCLOTH
AS GUARDIAN AND CONSERVATOR















STATE OF MISSISSIPPI
COUNTY OF JONES
Second JUDICIAL DISTRICT

Concetta Brooks, Circuit Clerk, in and for said County and State, do hereby certify that the above and foregoing is a true and correct copy of the above instrument as same appears of record on file in the office of the Circuit Clerk at Jones County, Mississippi. Given under my hand and official seal this the 3rd day of March A.D., 2022.

Concetta Brooks, Circuit Clerk
Jones County, Mississippi
By Christy Hodge D.C.

Date Filed	#	Docket Text
01/31/2022	1	Civil Cover Sheet. (Hodge, Christy) (Entered: 01/31/2022)
01/31/2022	2	COMPLAINT against ROBERT DAVID DUBAY, JOHN GORDAN

		DUBAY II, JUNE FAIRCLOTH, filed by JOE ANTHONY, PATTY ANTHONY. (Hodge, Christy) (Entered: 01/31/2022)
01/31/2022	   <u>3</u> 	SUMMONS Issued to JOHN GORDAN DUBAY II. (Hodge, Christy) (Entered: 01/31/2022)
01/31/2022	   <u>4</u> 	SUMMONS Issued to ROBERT DAVID DUBAY. (Hodge, Christy) (Entered: 01/31/2022)
01/31/2022	   <u>5</u> 	SUMMONS Issued to JUNE FAIRCLOTH. (Hodge, Christy) (Entered: 01/31/2022)

Select Event




ADR Documents Answers to Complaints	  
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EXHIBIT "A"

COVER SHEET**Civil Case Filing Form**(To be completed by Attorney/Party
Prior to Filing of Pleading)Mississippi Supreme Court Form AOC/01
Administrative Office of Courts (Rev 2020)In the CIRCUITCourt of JONESCounty — SECOND

Judicial District

Origin of Suit (Place an "X" in one box only)

- ☒ Initial Filing ☐ Reinstated ☐ Foreign Judgment Enrolled ☐ Transfer from Other court ☐ Other
☐ Remanded ☐ Reopened ☐ Joining Suit/Action ☐ Appeal

Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form

Individual Anthony Joe
 Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV

Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
 D/B/A or Agency _____

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:
 D/B/A _____

Address of Plaintiff 8 Westerly Drive, Laurel, Mississippi 39440Attorney (Name & Address) Eugene M. Harlow, P.O. Box 1409, Laurel, Mississippi 39441-1409MS Bar No. 3086

Check (x) if Individual Filing Initial Pleading is NOT an attorney
 Signature of Individual Filing: Eugene M. Harlow

Defendant - Name of Defendant - Enter Additional Defendants on Separate Form

Individual Dubay John
 Last Name First Name Maiden Name, if applicable M.I. Jr/Sr/III/IV

Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:
 Estate of _____

Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:
 D/B/A or Agency _____

Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below:
 D/B/A _____

Attorney (Name & Address) - If Known _____

MS Bar No. _____

Check (x) if child support is contemplated as an issue in this suit.*

*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

Nature of Suit (Place an "X" in one box only)

- ☐ Child Custody/Visitation
☐ Child Support
☐ Contempt
☐ Divorce: Fault
☐ Divorce: Irreconcilable Diff.
☐ Domestic Abuse
☐ Emancipation
☐ Modification
☐ Paternity
☐ Property Division
☐ Separate Maintenance
☐ Term. of Parental Rights-Chancery
☐ UIFSA (eff 7/1/97; formerly URESA)
☐ Other _____

- ☐ Administrative Agency
☐ County Court
☐ Hardship Petition (Driver License)
☐ Justice Court
☐ MS Dept Employment Security
☐ Municipal Court
☐ Other _____

- ☐ Accounting (Business)
☐ Business Dissolution
☐ Debt Collection
☐ Employment
☐ Foreign Judgment
☐ Garnishment
☐ Replevin
☐ Other _____

- ☐ Accounting (Probate)
☐ Birth Certificate Correction
☐ Mental Health Commitment
☐ Conservatorship
☐ Guardianship
☐ Joint Conservatorship & Guardianship
☐ Heirship
☐ Intestate Estate
☐ Minor's Settlement
☐ Muniment of Title
☐ Name Change
☐ Testate Estate
☐ Will Contest
☐ Alcohol/Drug Commitment (voluntary)

- ☐ Alcohol/Drug Commitment (voluntary)
☐ Other _____

- ☐ Adoption - Contested
☐ Adoption - Uncontested
☐ Consent to Abortion
☐ Minor Removal of Minority
☐ Other _____

- ☐ Elections
☐ Expungement
☐ Habeas Corpus
☐ Post Conviction Relief/Prisoner
☐ Other _____

- ☐ Breach of Contract
☐ Installment Contract
☐ Insurance
☐ Specific Performance
☐ Other _____

- ☐ Bond Validation
☐ Civil Forfeiture
☐ Declaration of Hidden Assets
☐ Injunction or Restraining Order
☐ Other _____

- ☐ Adverse Possession
☐ Ejectment
☐ Eminent Domain
☐ Eviction
☐ Judicial Foreclosure
☐ Lien Assertion
☐ Partition
☐ Tax Sale: Confirm/Cancel
☐ Title Boundary or Easement
☐ Other _____

- ☐ Bad Faith
☐ Fraud
☒ Intentional Tort
☐ Loss of Consortium
☐ Malpractice - Legal
☐ Malpractice - Medical
☐ Mass Tort
☐ Negligence - General
☐ Negligence - Motor Vehicle
☐ Premises Liability
☐ Product Liability
☐ Wrongful Death
☐ Other _____

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPISECOND JUDICIAL DISTRICT, CITY OF Laurel

Docket No. 2022 - 35 CV1 Docket No. If Filed
File Yr Chronological No. Clerk's Local ID Prior to 1/1/94

PLAINTIFFS IN REFERENCED CAUSE - Page 1 of ___ Plaintiffs Pages
IN ADDITION TO PLAINTIFF SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Plaintiff #2:

Individual: Anthony Patty (_____) _____ _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: 3086 Bar # or Name: Eugene M. Harlow Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

Plaintiff #3:

Individual: _____ (_____) _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: _____ Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

Plaintiff #4:

Individual: _____ (_____) _____
Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS PLAINTIFF: _____ Bar # or Name: _____ Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPISECOND JUDICIAL DISTRICT, CITY OF Laurel

Docket No. 2022 - 35 CNI Docket No. If Filed
 File Yr Chronological No. Clerk's Local ID Prior to 1/1/94

DEFENDANTS IN REFERENCED CAUSE - Page 1 of ___ Defendants Pages
IN ADDITION TO DEFENDANT SHOWN ON CIVIL CASE FILING FORM COVER SHEET

Defendant #2:

Individual: Dubay Robert (D.)
 Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

Defendant #3:

Individual: Faircloth June (_____)
 Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Defendant is being sued in the name of an entity other than the name above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

Defendant #4:

Individual: _____ (_____)
 Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV

___ Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of _____

___ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A _____

Business _____
 Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

___ Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below:

D/B/A _____

ATTORNEY FOR THIS DEFENDANT: _____ Bar # or Name: _____ Pro Hac Vice (✓) ___ Not an Attorney(✓) ___

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

JOE ANTHONY and PATTY ANTHONY

PLAINTIFFS

VERSUS

CIVIL ACTION NO: 2022-35-CM

JOHN GORDAN DUBAY II,
ROBERT DAVID DUBAY, as guardian
and conservator, and JUNE FAIRCLOTH,
as guardian and conservator

DEFENDANTS

COMPLAINT
(Jury Trial Demanded)

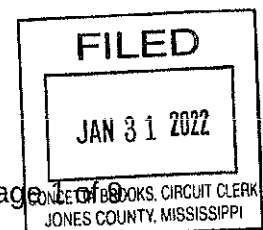
COME NOW, Joe Anthony and Patty Anthony (hereinafter referred to as "Plaintiffs") and file this Complaint against John Gordan.Dubay II (hereinafter referred to as "Defendant"), Robert David Dubay, as Guardian and Conservator, and June Faircloth, as Guardian and Conservator, and in support thereof, would show unto this Honorable Court the following, to-wit:

I.

PARTIES

1. Plaintiff, Joe Anthony, is an adult citizen of Jones County, Mississippi, whose place of residence is located at 8 Westerly Drive, Laurel, Jones County, Mississippi. Joe Anthony is the husband of Patty Anthony.

2. Plaintiff, Patty Anthony, is an adult citizen of Jones County, Mississippi, whose place of residence is located at at 8 Westerly Drive, Laurel, Jones County, Mississippi. Patty Anthony is the wife of Joe Anthony.



3. Defendant, John Gordan Dubay II, is a Georgia resident who currently lives at 1501 Twin Lakes Drive, Bainbridge, Georgia, 39819-5217, and he may be served with process at this address.

4. Defendant, Robert David Dubay, was issued letters of conservatorship and guardianship by The Probate Court of Decatur County, State of Georgia in Estate No. 2021-PC-133 on behalf of Ward, John Gordon Dubay II on June 29, 2021. Defendant, Robert David Dubay is a Georgia resident who currently lives at 3622 Goldenrod Lane, Buford, Georgia 30519, and he may be served with process at this address.

5. Defendant, June Faircloth, was issued letters of conservatorship and guardianship by The Probate Court of Decatur County, State of Georgia in Estate No. 2021-PC-133 on behalf of Ward, John Gordon Dubay II on June 29, 2021. Defendant is a Georgia resident who currently lives at 214 Riverview Road, Bainbridge, Georgia 39817, and she may be served with process at this address.

II.

JURISDICTION

6. Plaintiffs are both resident citizens of Jones County, Mississippi, and they were so residing at the time this cause of action occurred.

7. Defendant, John Gordon Dubay II, is a resident citizen of Georgia. He currently lives at 1501 Twin Lakes Drive, Bainbridge, Georgia, 39819-5217, and he was so residing at the time this cause of action occurred.

8. Defendant, Robert David Dubay, is a resident citizen of Georgia. He currently lives at 3622 Goldenrod Lane, Buford, Georgia 30519, and he was so residing at the time this cause of

action occurred.

9. Defendant, June Faircloth, is a resident citizen of Georgia. She currently lives at 214 Riverview Road, Bainbridge, Georgia 39817, and she was so residing at the time this cause of action occurred.

10. The Circuit Court of Jones County in the Second Judicial District, Mississippi, has jurisdiction over the parties and over the subject matter in this cause.

III.

VENUE

11. Pursuant to Miss. Code Ann. §11-11-3, venue is proper before this Court in that the cause of action occurred and/or accrued within the Second Judicial District of Jones County, Mississippi.

IV.

GENERAL ALLEGATIONS

12. On June 10, 2021, Defendant John Gordon Dubay II, was an overnight guest at the home of Plaintiffs. The next morning, June 11, 2021, the defendant violently, without warning or any provocation, physically attacked and injured Plaintiffs. The defendant, a trained martial artist, physically beat, assaulted, and battered the plaintiffs over a period of time, causing significant injuries. He also caused property damage to Plaintiffs' home and furnishings. During the attack, Patty Anthony suffered trauma and injuries rendering her unconscious. Her husband, Joe Anthony, also suffered significant injuries but courageously defended the couple from the aggressor as the wild and unprovoked attack escalated. Ultimately, the defendant was subdued after Joe Anthony, fearing for his life, stabbed him with a kitchen knife to finally end the struggle. Once seriously injured,

Defendant stumbled out of the Plaintiffs' home and onto the street where he was arrested by authorities.

V.

COUNT ONE
(Assault and Battery)

13. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

14. On or about the day of June 11, 2021, Defendant committed an assault and battery on Plaintiffs. Defendant intentionally assaulted, battered, blind-sided and willfully injured the Plaintiffs.

VI.

COUNT TWO
(Infliction of Emotional Distress)

15. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

16. Defendant assaulted, battered, blind-sided and willfully injured the Plaintiffs. Defendant's conduct towards Plaintiffs was malicious, wilful, wanton, and/or negligent, causing emotional distress to Plaintiffs. Defendant's assault and battery of Plaintiffs was meant to inflict extreme and outrageous emotional distress or, at a minimum, Defendant recklessly and willfully disregarded the consequences of his actions and his knowledge that said actions would likely cause such significant emotional distress. As a direct and proximate result of the Defendant's intentional and/or negligent conduct, Plaintiffs suffered extreme emotional distress.

VII.

COUNT THREE
(Negligence)

17. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

18. Defendant was negligent in failing to exercise reasonable care during his meeting with Plaintiffs. Plaintiffs were harmed and injured when they were assaulted and beaten by Defendant. Plaintiffs' injuries, the full extent of which are still not known, were due in whole or in part to the acts and omissions of Defendant who was negligent in one or more respects:

- (a) In failing to act as a reasonably prudent person;
- (b) In failing to seek help or assistance from a licensed professional;
- (c) In failing to refrain from assaulting and beating Plaintiffs; and
- (d) Such other and further acts of negligence as may be shown in the trial of this case as discovery progresses.

19. As a proximate consequence of Defendant's said negligence, the plaintiffs were caused to suffer injuries and property damage.

VIII.

COUNT FOUR **(Negligence Per Se)**

20. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

21. *Miss. Code Ann.* § 97-3-7 (2013) provides, in relevant part, that:

(1) (a) A person is guilty of simple assault if he (i) attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; (ii) negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (iii) attempts by physical menace to put another in fear of imminent serious bodily harm; and, upon conviction, he shall be punished by a fine of not more than Five Hundred Dollars (\$ 500.00) or by imprisonment in the county jail for not more than six (6) months, or both.

* * *

(2) (a) A person is guilty of aggravated assault if he (i) attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; (ii) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (iii) causes any injury to a child who is in the process of boarding or exiting a school bus in the course of a violation of Section 63-3-615; and, upon conviction, he shall be punished by imprisonment in the county jail for not more than one (1) year or in the Penitentiary for not more than twenty (20) years.

22. Moreover, *Miss. Code Ann.* § 97-17-67 (2014) provides, in relevant part, that:

(1) Every person who shall maliciously or mischievously destroy, disfigure, or injure, or cause to be destroyed, disfigured, or injured, any property of another, either real or personal, shall be guilty of malicious mischief.

23. On the occasion in question, Plaintiffs' injuries and damages were proximately caused by the negligent acts and/or omissions of the Defendant, because the Defendant violated statutory duties owed to the Plaintiffs.

IX.

COUNT FIVE (Gross Negligence)

24. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

25. Defendant's conduct involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others. Defendant had actual subjective awareness of the risks involved, but nevertheless proceeded with conscious indifference to the rights, safety, and/or welfare of Plaintiffs. Defendant's conduct amounts to gross negligence under Mississippi law. Plaintiffs seek exemplary damages.

X.

COUNT SIX
(Property Damage)

26. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

27. Defendant physically beat, assaulted, and battered the plaintiffs over a period of time, causing significant injuries. As part of his destructive rampage, he also caused property damage to Plaintiffs' home and furnishings.

XI.

COUNT SEVEN
(Damages)

28. Plaintiffs incorporate and adopt all prior paragraphs, averments, and statements.

29. Plaintiffs are entitled to and do assert and demand of and from Defendant the following damages, to wit:

- (a) Physical and mental pain and suffering;
- (b) Physical scarring and disfigurement;
- (c) Mental anguish, distress, and grief;
- (d) Medical bills;
- (e) Psychological counseling;
- (f) Loss of enjoyment of life;
- (g) Insomnia, anxiety, depression, post traumatic stress disorder, and trauma;
- (h) Property damage to home and furnishings; and
- (i) All other damages of every kind to the Plaintiffs and all damages allowed under the

law of every kind to any and all parties in the suit.

XII.

COUNT EIGHT
(Exemplary or Punitive Damages)

30. Plaintiffs seek exemplary damages. The conduct of Defendant in attacking and injuring Plaintiffs was willfully malicious, violent, outrageous, wanton, and/or grossly reckless.

XIII.

PRAYER FOR RELIEF

31. Because of all of the above and foregoing, Plaintiffs have been damaged, and will be damaged, in a sum within the jurisdictional limits of this Court.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that Defendants be cited to appear and answer herein, and that on final hearing of this cause, Plaintiffs have Judgment against Defendant for actual damages in an amount within jurisdictional limits of this Court, for damages, for costs of suit, attorneys fees, punitive damages, for prejudgment and post-judgment interest, and for any and all such other and further relief, in law or in equity, both general and special, to which the Plaintiffs may show themselves justly entitled.

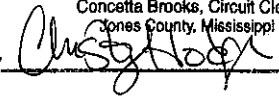
RESPECTFULLY SUBMITTED, this the 31st day of January, 2022.

BY:

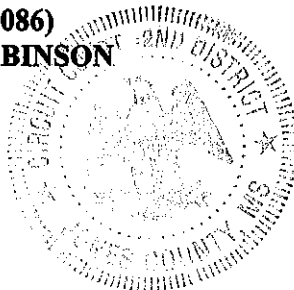

Eugene M. Harlow,
Attorney for Plaintiffs

STATE OF MISSISSIPPI
COUNTY OF JONES
Second JUDICIAL DISTRICT

Concetta Brooks, Circuit Clerk, in and for said County and State, do hereby certify that the above and foregoing is a true and correct copy of the above instrument as same appears of record on file in the office of the Circuit Clerk at Jones County, Mississippi. Given under my hand and official seal this the 3rd day of March A.D., 2022.

Concetta Brooks, Circuit Clerk
Jones County, Mississippi
By  D.C.

EUGENE M. HARLOW (MSBN: 3086)
HORTMAN HARLOW BASSI ROBINSON
& MCDANIEL, PLLC
Post Office Drawer 1409
Laurel, Mississippi 39441-1409
Telephone: (601)649-8611
Facsimile: (601)649-6062
gharlow@hortmanharlow.com



*****CERTIFICATE OF SERVICE*****

I, Eugene M. Harlow, counsel for Plaintiffs, certify that I have this day served a true and correct copy of the above and foregoing *Complaint*, via U. S. Mail, First Class, postage-prepaid and via electronic mail, to the following:

John Gordon Dubay II
1501 Twin Lakes Drive
Bainbridge, GA 398199-5217

SO CERTIFIED, this the 31st day of January, 2022.


EUGENE M. HARLOW

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

JOE ANTHONY and PATTY ANTHONY

PLAINTIFFS

V.

CIVIL ACTION NO. : 2022-35-CV1

**JOHN GORDAN DUBAY II,
ROBERT DAVID DUBAY, as guardian
and conservator, and JUNE FAIRCLOTH,
as guardian and conservator**

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

**TO: JOHN GORDAN DUBAY II
1501 TWIN LAKES DRIVE
BAINBRIDGE, GEORGIA 39819-5217**

NOTICE TO DEFENDANT(S)

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

**YOU ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A
WRITTEN RESPONSE TO THE COMPLAINT TO THE ATTORNEY FOR THE
PLAINTIFF, EUGENE M. HARLOW AT HORTMAN HARLOW BASSI ROBINSON &
McDANIEL, PLLC, P.O. DRAWER 1409, LAUREL, MS 39441-1409. YOUR RESPONSE
MUST BE MAILED OR DELIVERED WITHIN FORTY(40) DAYS FROM THE DATE
OF DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY
DEFAULT WILL BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER
THINGS DEMANDED IN THE COMPLAINT.**

YOU MUST ALSO FILE THE ORIGINAL OF YOUR RESPONSE WITH THE CLERK
OF THIS COURT WITHIN A REASONABLE TIME AFTERWARD.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT, this the 31st DAY OF
JANUARY, 2022.

(Seal)



Concetta Brooks
Circuit Clerk of Jones County
P. O. Box 1336
Laurel, MS 39441

By: Christy Hodge D.C.

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

JOE ANTHONY and PATTY ANTHONY

PLAINTIFFS

V.

CIVIL ACTION NO. : 2022-35-CM

**JOHN GORDAN DUBAY II,
ROBERT DAVID DUBAY, as guardian
and conservator, and JUNE FAIRCLOTH,
as guardian and conservator**

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

**TO: ROBERT DAVID DUBAY
3622 GOLDENROD LANE
BUFORD, GEORGIA 30519**

NOTICE TO DEFENDANT(S)

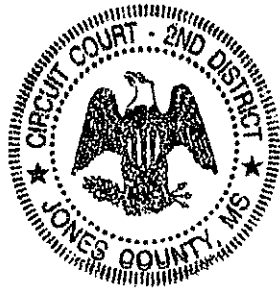
**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

**YOU ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A
WRITTEN RESPONSE TO THE COMPLAINT TO THE ATTORNEY FOR THE
PLAINTIFF, EUGENE M. HARLOW AT HORTMAN HARLOW BASSI ROBINSON &
McDANIEL, PLLC, P.O. DRAWER 1409, LAUREL, MS 39441-1409. YOUR RESPONSE
MUST BE MAILED OR DELIVERED WITHIN FORTY(40) DAYS FROM THE DATE
OF DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY
DEFAULT WILL BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER
THINGS DEMANDED IN THE COMPLAINT.**

**YOU MUST ALSO FILE THE ORIGINAL OF YOUR RESPONSE WITH THE CLERK
OF THIS COURT WITHIN A REASONABLE TIME AFTERWARD.**

**ISSUED UNDER MY HAND AND SEAL OF SAID COURT, this the 31st DAY OF
JANUARY, 2022.**

(Seal)



Concetta Brooks
Circuit Clerk of Jones County
P. O. Box 1336
Laurel, MS 39441

By: Christy Hodge D.C.

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

JOE ANTHONY and PATTY ANTHONY

PLAINTIFFS

V.

CIVIL ACTION NO. : 2022-35-CM

**JOHN GORDAN DUBAY II,
ROBERT DAVID DUBAY, as guardian
and conservator, and JUNE FAIRCLOTH,
as guardian and conservator**

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI

**TO: JUNE FAIRCLOTH
214 RIVERVIEW ROAD
BAINBRIDGE, GEORGIA 39817**

NOTICE TO DEFENDANT(S)

**THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

**YOU ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A
WRITTEN RESPONSE TO THE COMPLAINT TO THE ATTORNEY FOR THE
PLAINTIFF, EUGENE M. HARLOW AT HORTMAN HARLOW BASSI ROBINSON &
McDANIEL, PLLC, P.O. DRAWER 1409, LAUREL, MS 39441-1409. YOUR RESPONSE
MUST BE MAILED OR DELIVERED WITHIN FORTY(40) DAYS FROM THE DATE
OF DELIVERY OF THIS SUMMONS AND COMPLAINT OR A JUDGMENT BY
DEFAULT WILL BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER
THINGS DEMANDED IN THE COMPLAINT.**

**YOU MUST ALSO FILE THE ORIGINAL OF YOUR RESPONSE WITH THE CLERK
OF THIS COURT WITHIN A REASONABLE TIME AFTERWARD.**

**ISSUED UNDER MY HAND AND SEAL OF SAID COURT, this the 31st DAY OF
JANUARY, 2022.**

(Seal)



Concetta Brooks
Circuit Clerk of Jones County
P. O. Box 1336
Laurel, MS 39441

By: Christy Hodge D.C.